REMARKS/ARGUMENTS

Favorable consideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-28 are presently pending in this application, Claims 1-25 having been amended and Claims 26-28 having been added by the present amendment.

In the outstanding Office Action, Claims 4-25 were objected to for being improper; and Claims 1-3 were rejected under 35 U.S.C. §102(b) as being anticipated by Pölling (U.S. Patent 6,135,262).

In response to the objection to Claims 4-25, those claims have been amended to remove the multiple dependencies. In addition, Claims 1-25 have been amended to clarify the subject matter recited therein, and Claims 26-28 have been newly added. These amendments and additions in the claims are not believed to narrow the scopes of the claims, nor is new matter added by way of these amendments. If, however, the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work in a joint effort to derive mutually satisfactory claim language.

Before addressing the outstanding art rejection, a brief summary of Claim 1 as currently amended is believed to be helpful. Claim 1 according to the present invention is directed to a device for sorting products and the device includes supporting units which are adjacently arranged and move in a direction of transport along a conveying path. Each of the supporting units is provided with a conveying element which moves along a guide extending according to the conveying path and at least one load carrying platform. The load carrying platform has a supporting surface for supporting a product, a support member supporting the supporting surface, and a tilting mechanism which tilts the supporting surface about an axis of tilt parallel to the conveying path with respect to the conveying element. The tilting device includes a drive device and at least one cam which is rotated by the drive device about an axis

of rotation extending parallel to the axis of tilt when the cam moves over a camway so as to cause the support member to tilt about the axis of tilt between a neutral position and an extreme position, and the drive device is positioned apart from the cam.

The outstanding Office Action asserts that Pölling discloses a device for sorting products as recited in Claim 1. Nevertheless, Pölling does not teach or suggest "a tilting mechanism configured to tilt the supporting surface about an axis of tilt parallel to the conveying path with respect to the conveying element, wherein the tilting mechanism comprises a drive device and at least one cam configured to be rotated by the drive device about an axis of rotation extending parallel to the axis of tilt when the cam moves over a camway so as to cause the support member to tilt about the axis of tilt between a neutral position and an extreme position, and the drive device is positioned apart from said cam" as recited Claim 1. On the other hand, according to Pölling, a sorting conveyor has a cam 21 in a stationary mount at the respective delivery point which can be pivoted up from a previously lowered position.[1] More specifically, in Figures 4a and 4b of Pölling, the cam 21 is in the path of a bolt 20, the lower end of which runs up onto the cam 21 raising it and at the same time, unlocking a crossbar 19. A head 20' of the bolt 20 enters a guide 22 that is curved outward and causes the head 20' along with the remaining part of the bolt 20 and crossbar 19 to move laterally outward. The crossbar 19 pulls at a pin 18 in a slot 17 below a tilt axle 16, causing a carrying plate 1 to tilt. As such, the cam 21 of Pölling does not rotate about an axis of rotation extending parallel to the axis of tilt 16. Furthermore, during the pivoting of the cam 21, no tilting of the carrying plate 1 takes place in Pölling. Instead, the tilting of the cam 21 takes place before the tilting of the carrying plate 1. Also, Applicants wish to point out that the cam 21 of Pölling is located at a fixed location (stationary mount) at a certain delivery point, no a part of a supporting unit as recited in Claim 1. Therefore, the structure

[1] See, for example, Pölling, Figures 4a and 4b.

recited in Claim 1 is clearly distinguishable from Pölling, and thus is not anticipated thereby. Also, because Pölling fails to disclose the tilting mechanism as recited in Claim 1, the teachings of Pölling are not believed to render the device recited in Claim 1 obvious.

For the foregoing reasons, Claim 1 is believed to be allowable. Furthermore, since Claims 2-28 depend directly or indirectly from Claim 1, substantially the same arguments set forth above also apply to these dependent claims. Hence, Claims 2-28 are believed to be allowable as well.

In view of the amendments and discussions presented above, Applicants respectfully submit that the present application is in condition for allowance, and an early action favorable to that effect is earnestly solicited.

Respectfully submitted,

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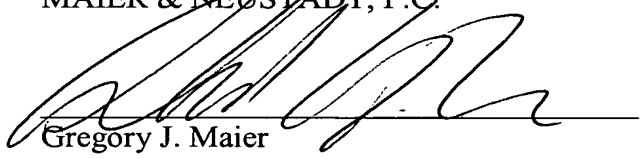

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